

— JUVENILE X ADULT BOOKING # OBITS#
IN CIRCUIT/COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK
COUNTY, IOWA

SUBMITTING MEMBER
LYNCH, TIMOTHY

DATE/TIME OF ARREST/INCIDENT 5/20/2013 03:00:00

MEMBER # 7025

DATE/TIME OF ARREST

ARREST/INCIDENT

5/20/2013 03:00:00

NOTICE TO APPEAR COMPLAINT AFFIDAVIT

X ARREST REPORT

CITY OF
LAKELAND(Uncorporated)

POLK, STATE OF FLORIDA

THE UNDERSIGNED AFFIANT SWEARS SHE/HE HAS JUST AND REASONABLE GROUNDS TO BELIEVE THAT ON

05/19/13 AT

APPROXIMATELY 18:0

18:09:01

IN THE VICINITY OF

POLK COUNTY FLORIDA

LAST	FIRST	MIDDLE	PHONE
ADDRESS	219 MASSACHUSETTS AVN LAKELAND, FL 33801		
RACE/SEX	W/M	DOB	1/13/1972 HT
SPEECH	NOR	SCARS	600 WT
DL#			250 EYE
EMPLOYER/SCHOOL	LAKELAND POLICE DEPARTMENT		
JUV-PARENTS	PHONE		
	n/a		
	ST	FL	SS#
	OCCUPATION		
	PHONE		
	POB	, GA	MARITAL STATUS
	BRO	HAIR	COMP
	BRO	BRO	BUILD
			Large
	POLICE OFR		

NOTICE TO APPEAL/OF APPOINTMENT

AGREE TO APPEAR IN COURT/JAC AT 20 FLORIDA ON AT AMPM TO ANSWER THE CHARGE(S) IN THIS COMPLAINT OR TO PAY THE PRESCRIBED FINE FOR THIS OFFENSE. I UNDERSTAND THAT A WILFUL FAILURE TO APPEAR WILL RESULT IN A WARRANT FOR MY ARREST AND MAY BE A NEW OFFENSE (DO NOT BE LATE).

Defendant/Violators Signature

Parent/Guardian Signature

Date

COMMITTED THE OFFENSE(S) OF:

Battery Touch Or Strike FSS/FAC/CO 784-03(I)(A)1 Counts:

LEVEL/DEGREE MI

CO-DEFENDANT:

Codefendant: MONROE,JERRY MATTHEW

VICTIM/WITNESS:

Victim:	JONES,ANDREW JAMES	W/F	950 LAKE HOLLINGSWORTH DR	LAKELAND	FL	33803	(863)701-6452	5/26/93
Witness	PARADISE,VICTORIA		5587 SOUTHBROOK DR	LAKELAND	FL	33811	(863)701-6452	02/22/95
Witness	MONROE,CHRISTOPHER			LAKELAND	FL			
Witness	PHENICIE,JASON		4417 IRIS ST N	LAKELAND	FL	33813	(863)409-9729	01/01/73
Witness	PHENICIE,MICHELLE		4417 IRIS ST N	LAKELAND	FL	33813	(863)409-9729	01/02/73
Witness	RITCHIE,TRAVIS		2105 HWY 540A E	LAKELAND	FL	33813	(863)619-8700	10/14/88
Witness	EISSING,CORAL		2105 HWY 540A E	LAKELAND	FL	33813	(863)619-8700	05/04/94

PROBABLE CAUSE:

On 5/19/2013, at 1741 hours Andrew Jones and his girlfriend, Victoria Paradise, were en route to pick up a pizza travelling eastbound on County Road 540A, in Lakeland, Florida. Jones changed lanes from the left lane into the right lane and in front of a Honda Insight, driven by Jerry Monroe who was accompanied by his fourteen year old son Christopher Monroe. Mr. Monroe felt Mr. Jones passed too closely to his vehicle and almost caused a wreck, so he honked the horn at Jones. Both subjects then "shot the bird" at each other and continued eastbound on Hwy 540A until stopped by the traffic light at the intersection of Carter Road and CR 540A. Monroe then exited his vehicle and yelled towards Jones' vehicle about cutting him off. Jones and Paradise remained in their vehicle and did not respond. This was witnessed by Jason and Michelle Phenicie.

The light changed and all parties continued eastbound on Hwy 540 toward Lakeland Highlands Road. Jones turned into the Highlands Square Shopping Plaza and stopped in front of Papa Johns Pizza. He was followed by Monroe. Witness Phenicie also turned into the plaza and witnessed Monroe stop his vehicle behind Jones. Monroe then exited his vehicle and aggressively approached Jones. Monroe was witnessed yelling at Jones by Paradise, Christopher Monroe and Jason Phenicie. A verbal argument began then escalated with Monroe using both hands to forcibly shove Jones in his chest and backward into his vehicle. The two then went to the ground where Monroe was able to pin Jones to the ground and strike Jones in the face with a closed fist.

Jason and Michelle Phenicie witnessed Monroe push Jones against the vehicle. Mr. Phenicie told his wife to call 911 while he exited the vehicle and ran to break up the confrontation. Mr. Phenicie and Papa Johns employee Travis Ritchie were able to pull Monroe off of Jones and end the physical confrontation. After the event was over, Monroe reportedly continued to antagonize Jones saying, "Do you want more? Do you wanna finish this?" Jones and his girlfriend then entered Papa Johns and away from Monroe.

The initial push by Monroe was captured on video surveillance, which clearly depicts Monroe as the primary physical aggressor in this incident. The video depicts the two subjects then become involved in a physical altercation. Monroe then picked Jones up and took him to the ground. Monroe, now on top of Jones, struck Jones numerous times with a closed fist. The incident was then broken up by Ritchie and Phenicie, and Monroe can be seen continuing to yell at and aggressively approach Jones while being dissuaded by the witnesses. The video has been placed into evidence.

Jones and Paradise gave sworn taped statements. Mr. Jones advised once he was on the ground and held there, Monroe grabbed his head and slammed it into the pavement.

Jason and Michelle Phenicie gave sworn taped statements stating that they witnessed Monroe push Jones, starting the physical altercation.

Monroe gave a sworn written statement advising he was "cut off" by Jones and then followed him to Papa Johns where he then confronted Jones. Jerry Monroe declined to give a sworn taped statement without the presence of his attorney.

Monroe's son, Christopher Monroe, gave a sworn taped statement advising after he and his father were "cut off" by Jones, who passed too closely and did not use turn signal, his father became very upset, began yelling, and honking the horn numerous times.

As a result of Mr. Jones injuries, he responded to Lakeland Regional Medical Center where he was treated for several abrasions, and a possible concussion, and later released.

Based on my investigation, to include sworn taped statements and video surveillance obtained, I have determined probable cause exists that Jerry Monroe actually and intentionally struck the victim against his will causing bodily harm.

SCHERER, GORDON II

4486

LYNCH, TIMOTHY

7025

DEPUTY CLERK/NOTARY PUBLIC/LEO

AFFIANT

1234567890